

Application No. 10/673,809
Amendment dated 04/12/2006
Reply to Office Action of January 25, 2006

02-ASD-271(EM)

REMARKS

§ 112 rejection

Claims 10 and 19 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Applicant has amended claims 10 and 19 to obviate the informalities helpfully noted by the Examiner. Withdrawal of the rejection is therefore respectfully requested.

§ 102 rejection

Claims 1-7, 9-10, 11, 13, 15-18 and 27 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,330,567 to Mercer et al. ("Mercer"). Applicant respectfully traverses this rejection.

The Examiner asserted that Mercer discloses the claimed invention, but also admitted that Mercer's reinforcing means 70, 72 (which the Examiner equates to the claimed strain distributor) is "disposed in the common region at a junction of two of the [three] portions" (p. 3, emphasis added). As shown in Figure 2 and recited in independent claims 1, 11 and 19 however, the claimed seal has three portions extending from a common region where the three portions seal on the three members, implying that the common region, and therefore the strain distributor, is at the juncture of the three members.

Applicant has amended claims 1 and 11 to clarify the fact that the strain distributor in the invention is disposed at the juncture of the three members when the seal is installed. As admitted by the Examiner, the reinforcing cable 70 and spring 72 are disposed at a junction of only two portions that are being sealed. Withdrawal of the rejection is therefore respectfully requested.

Claims 11 and 14 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,275,420 to Rodenkirch ("Rodenkirch"). Applicant respectfully traverses this rejection. The Examiner asserted that the silicone sealant 46, 48 is the same as the claimed strain distributor. However, contrary to the Examiner's assertion, the silicone sealant is not embedded in any common region of the seal. Instead, liquid silicone is squeezed into openings 82 to fill pockets formed between the end seals and the head

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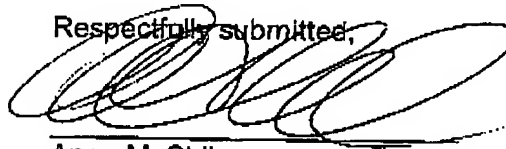
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gasket and into a cavity formed between the head and manifold gaskets (col. 3, lines 35-59). Because the silicone flows into spaces between seals and/or gaskets after they are installed into the engine, the silicone clearly is not embedded in any seal structure. Rodenkirch therefore fails to anticipate claims 11 and 14, and withdrawal of the rejection is respectfully requested.

Applicant thanks the Examiner for indicating that claims 19-26 contain allowable subject matter. Applicant has amended the claims to overcome the § 112, second paragraph rejection noted above to place claims 19-26 in allowable form. Allowance is therefore respectfully requested.

The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account No. 05-0275.

Respectfully submitted,



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